IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 1732 of 2007

For Approval and Signature:
HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KISHORBHAI NATHUBHAI CHAUHAN - Applicant(s)
Versus
STATE OF GUJARAT & 7 - Respondent(s)

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Appearance :
MR KARTIK V PANDYA for Applicant(s) : 1,
MR MR MENGDE, ADDL. PUBLIC PROSECUTOR for Respondent(s) : 1,
None for Respondent(s) : 2 - 8.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 26/09/2007

ORAL JUDGMENT

1. By way of this petition under Article 226 of the Constitution of India, the petitioner – original informant has prayed for an appropriate order

directing the respondent No.2 to investigate in the complaint registered as Janvajog Entry before the Bardoli police station.

2. It is the case on behalf of the petitioner that the I.O. has not carried out the investigation to find out his daughter-in-law, who has been missing since August – 2006 and even if the investigation so far carried out, the same is not satisfactory and therefore, it is requested to pass an appropriate order.

3. Shri M.R.Mengde, learned APP has produced on record the report of the P.I., Bardoli police station dated 23.9.2007 pointing out the investigation so far carried out by the I.O. and all others to find out and trace the daughter-in-law of the petitioner. On considering the said report, it cannot be said that the investigation has not been carried out and / or no efforts are made to find out and/or trace out the daughter-in-law of the petitioner. It appears from the report that all efforts are

made even joining the petitioner during the course of the investigation to find out the daughter-in-law of the petitioner, however, still the daughter-in-law of the petitioner is not found. Considering the above, it cannot be said that no investigation has been carried out. As submitted in the report, the investigation has been continued. Under the circumstances, P.I., Bardoli police station is directed to continue the investigation / inquiry to find out and trace the daughter-in-law of the petitioner. It goes without saying that as and when the petitioner receives any information with regard to whereabouts of his daughter-in-law, the petitioner may approach the concerned I.O. and the concerned I.O. is directed to consider the same and inquire into the same also.

4. With these, present petition is disposed of.

(M.R.Shah, J.)

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